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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/227,490	
	Filing Date	January 6, 1999	
	First Named Inventor	Matthew David Gard	
	Art Unit	2674	
	Examiner Name	—	
Total Number of Pages in This Submission	7	Attorney Docket Number	35684.0101

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> - Postcard acknowledgment
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Strasburger & Price, LLP 901 Main St., Suite 4300 Dallas, TX 75202		
Signature			
Printed name	Alan R. Thiele		
Date	November 22, 2005	Reg. No.	30,694

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: <input checked="" type="checkbox"/> for U.S. Express Mail (No. EL-650191383-US)			
Signature			
Typed or printed name	Maria Reyna	Date	November 22, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Petition to Director  
U.S. Patent Application  
Atty Docket No. 35684.0101

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl./Serial No. : 09/227,490  
Title of Invention : COMPUTER INTERFACE DEVICE  
Inventor : Matthew David Gard  
Appl. Filing Date : January 6, 1999  
Art Unit : 2674  
Docket No. : 35684.0101

TO: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO THE DIRECTOR UNDER 37 C.F.R. 1.181**

Dear Sir:

The above-identified case was allowed on December 1, 2003. The Issue Fee was due on March 1, 2003; however, the applicant did not pay the Issue Fee when due.

A Petition to Revive the above-identified application was submitted on October 1, 2004 along with the required Issue Fee.

The Petition to Revive was dismissed on November 1, 2004, as corrected formal drawings had not been submitted. The Applicant was given two months to correct this omission.

On January 5, 2005, the corrected formal drawings were submitted.

11/25/2005 MGE BREM1 00000014 09227490

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On June 24, 2005, a Status Inquiry was mailed to the U.S. Patent and Trademark Office with a response form attached thereto. The response form was returned without any information about issuance of the patent.

On July 12, 2005, a second Status Inquiry was mailed to the U.S. Patent and Trademark Office with a response form attached thereto. Again, the response form was returned without any information about issuance of the patent.

On September 5, 2005, a third Status Inquiry was mailed to the U.S. Patent and Trademark Office with a response form attached thereto. No response has been received.

On September 20, 2005, a fourth Status Inquiry was mailed to the U.S. Patent and Trademark Office with a response form attached thereto. No response has been received.

All efforts to obtain the status of this patent application by calling the U.S. Patent and Trademark Office have failed.

Applicant now submits this Petition to the Director to obtain issuance of the referenced patent, as all required fees have been paid and all requirements for issuance have been met.

Attached hereto is a petition fee of \$130.00. The Director is hereby authorized to charge any additional fees or underpayment of fees under 37 C.F.R. 1.16 and 1.17.

Date: November 22, 2005

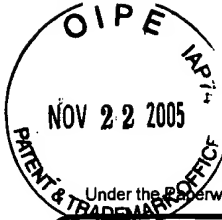
Respectfully submitted,



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Alan R. Thiele  
Reg. No. 30,694

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Dallas, TX 75202  
Telephone: (210) 250-6000  
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PTO/SB/17p (11-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FEE**  
**Under 37 CFR 1.17(f), (g) & (h)**  
**TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	09/227,490
Filing Date	January 6, 1999
First Named Inventor	Matthew David Gard
Art Unit	2674
Examiner Name	---
Attorney Docket Number	35684.0101

Enclosed is a petition filed under 37 CFR 1.181 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 19,547:

☐ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☒ Check in the amount of \$ 130 is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

- § 1.53(e) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.

Signature

Alan R. Thiele

Typed or printed name

November 22, 2005

Date

30,694

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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